

Metropolitan Transportation Commission
Request for Allocation
Transportation Development Act Article 3 Funds
Bicycle and Pedestrian Projects

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Metropolitan Transportation Commission
Request for Allocation
Transportation Development Act Article 3 Funds
Bicycle and Pedestrian Projects

Requirement Checklists

Claimant Requirements (cities and counties)

Submit a completed checklist with the application materials

*enter an "X" on each line
below to indicate submittal*

- | | |
|--|-------|
| 1. Governing Body Resolution w/ Attachments: | _____ |
| 2. Attachment A, Required Findings | _____ |
| 3. Attachment B, MTC Project Application Form(s) | _____ |

Claimants, please note that MTC must have received the fiscal audit covering TDA Article 3 funds disbursed to a claimant during the most recent prior fiscal year. If the audit was submitted prior to submission of the claim, the audit does not have to be resubmitted with the claim; otherwise, submit the audit with the claim. MTC Finance Section staff maintain records of all claimants who are deficient or delinquent in submitting required fiscal audits to MTC. If MTC has not received the required audit, but the audit is in process at the time the claim is submitted, MTC staff may process the claim; however, funds allocated under such circumstances will not be disbursed prior to MTC's receipt of the required audit.

Countywide Coordinated Claim Requirements (e.g., for CMA or Countywide Planning Agency)

Submit a completed checklist with the claim materials

*enter an "X" on each line
below to indicate submittal*

- | | |
|---|-------|
| A. Transmittal (cover) Letter Stating Fiscal Year of Claim | _____ |
| B. Prioritized List of Projects (identifying each claimant, project short title description, TDA amount, total project cost) | _____ |
| C. One copy each of the of the Governing Body Resolution and Attachments (per claimant requirements checklist) | _____ |
| D. Resolution from CMA, Board of Supervisors or Countywide Agency Supporting Submission of the Coordinated Claim | _____ |
| E. Description of the process for public and staff review of all proposed projects (in accordance with MTC Resolution No. 875, Revised) | _____ |

Instructions for the Use of the Model Governing Body Resolution by Claimants

(A copy of a model resolution follows these instructions)

The model resolution contains four parts:

1. Abstract of the purpose of the resolution (optional)
2. Body of the Resolution
3. Attachment A to the Resolution – Required Findings
4. Attachment B to the Resolution – MTC Claim Form(s)

All TDA Article 3 claimants should use this model resolution since it includes findings by the claimant that eliminate the need to submit separate “opinion of counsel,” and environmental clearance documents.

One resolution may be used for requesting allocations for multiple projects.

The exact text of the body of the model resolution must be submitted to MTC; however, a claimant may reformat the resolution for administrative purposes.

Attachment A, the “Findings,” must be included as part of the resolution. If you have questions about revising any of the text in Attachment A, or altering or omitting any of the findings, contact your MTC representative.

Attachment B – the “MTC Project Application” form(s) - must be submitted. One claim form (including accompanying “Explanatory Comments” page) must be used for each project. If the claim covers multiple projects, the multiple claim forms still constitute only one Attachment B. In other words, Attachment B can be 1 to “n” number of claim forms, and the total number of page of Attachment B is the total number of pages of all of the claim forms (including accompanying “Explanatory Comments” pages).

Where you see **INSERT NUMBER**, insert – in upper and lower case black type – the number you assign to the resolution.

Where you see **INSERT NAME OF CLAIMANT**, insert – in upper and lower case black type – the official name of the city or county (e.g., “the City of Oakland,” “the County of Solano”).

Where you see **INSERT NAME OF COUNTY**, insert – in black type – the name of the county from which the claim is being submitted. (e.g., “Napa County”).

Resolution No. **INSERT NUMBER**

Abstract

This resolution approves the request to the Metropolitan Transportation Commission by the **INSERT NAME OF CLAIMANT** for an allocation of Transportation Development Act Article 3 Pedestrian and Bicycle Project funding for fiscal year **INSERT FISCAL YEAR**.

Resolution No. **INSERT NUMBER**

Re: Request to the Metropolitan Transportation Commission for the allocation of fiscal year 2004-05 Transportation Development Act, Article 3. Pedestrian/Bicycle project funding

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No. 875, Revised, entitled “Transportation Development Act, Article 3, Pedestrian/Bicycle Projects,” which delineates procedures and criteria for submission of requests for the allocation of “TDA Article 3” funding; and

WHEREAS, MTC Resolution No. 875, Revised requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the **INSERT NAME OF CLAIMANT** desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; now, therefore, be it.

RESOLVED, that the **INSERT NAME OF CLAIMANT** declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and furthermore, be it

RESOLVED, that there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of the **INSERT NAME OF CLAIMANT** to carry out the project; and furthermore, be it

RESOLVED, that the **INSERT NAME OF CLAIMANT** attests to the accuracy of and approves the statements in Attachment A to this resolution; and furthermore, be it

RESOLVED, that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of **INSERT NAME OF COUNTY** for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

This resolution was adopted by the **INSERT NAME OF CLAIMANT** on **INSERT DATE**.

AYES:

NAYS:

Certified to by (signature): _____
TYPE NAME OF CERTIFYING INDIVIDUAL HERE

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2004-05 Transportation Development Act, Article 3. Pedestrian/Bicycle Project Funding

Findings

page 1 of 1

1. That the **INSERT NAME OF CLAIMANT** is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the **INSERT NAME OF CLAIMANT** legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That the **INSERT NAME OF CLAIMANT** has committed adequate staffing resources to complete the project(s) described on Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.), and that the **INSERT NAME OF CLAIMANT** is in possession of the document(s) supporting such compliance, said document(s) having been made available to for public review and stamped by the County Clerk or County Recorder of the county in which the claimant is located.
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the **INSERT NAME OF CLAIMANT** within the prior five fiscal years.
8. That the project(s) described in Attachment B which are bicycle projects have been included in a detailed bicycle circulation element included in an adopted general plan, or included in an adopted comprehensive bikeway plan (such as outlined in Section 2377 of the California Bikeways Act, Streets and Highways Code section 2370 et seq.).
9. That any project described in Attachment B that is a “Class I Bikeway,” meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in Attachment B are ready to commence implementation during the fiscal year of the requested allocation.
11. That the **INSERT NAME OF CLAIMANT** agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

Resolution No. **INSERT NUMBER**
Attachment B
page **INSERT PAGE NUMBER** of **INSERT TOTAL PAGE NUMBERS**
TDA Article 3 Project Application Form

Fiscal Year of this Claim: _____ Applicant: _____

Contact person: _____

Mailing Address: _____

E-Mail Address: _____ Telephone: _____

Secondary Contact (in event primary not available) _____

E-Mail Address: _____ Telephone: _____

Short Title Description of Project: _____

Amount of claim: \$ _____

Functional Description of Project: _____

Financial Plan:

List the project elements for which TDA funding is being requested (e.g., planning, environmental, engineering, right-of-way, construction, construction management, contingency). Use the table below to show the project budget. Include prior and proposed future funding of the project. If the project is a segment of a larger project, include prior and proposed funding sources for the other segments (make certain the use of the currently requested funding is made clear in the "Project Elements" section below, and include any other clarifying information on the next page).

Project Elements: _____

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3					
list all other sources:					
1.					
2.					
3.					
4.					
Totals					

Project Eligibility:	YES?/NO?
A. Has the project been approved by the claimant's governing body? (If "NO," on the next page provide the approximate date approval is anticipated).	
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on the next page.	
C. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet at: http://www.dot.ca.gov/hq/oppd/hdm/chapters/t1001.htm).	
D. Has the project been reviewed by a Bicycle Advisory Committee? (If "NO," provide an explanation on the next page).	
E. Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (If "NO" provide an explanation on the next page; and note that MTC cannot allocate funds to a project which lacks environmental clearance).	
F. Will the project be completed within the three fiscal year time period (including the fiscal year of funding) after which the allocation expires? Enter the anticipated completion date of project (month and year) _____	
G. Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: _____)	

Resolution No. **INSERT NUMBER**

Attachment B

page **INSERT PAGE NUMBER** of **INSERT TOTAL PAGE NUMBERS**

**TDA Article 3 Project Application Form
Explanatory Comments Page**

Short Title Description of Project: _____

Enter explanatory comments below, as required due to certain "YES" or "NO" answers to items "A" through "G" on the Project Application Form, or to provide information that will not fit on the application form, or to provide information that will clarify any potential confusion concerning the scope, cost or schedule of the project.

**Instructions for the Use of the Model Resolution for Use by Countywide Agencies
for Submittal of the Countywide Coordinated Claim**

A copy of the resolution follows these instructions.

The exact text of the body of the model resolution must be submitted to MTC; however, a claimant may reformat the resolution for administrative purposes.

Attachment A, the prioritized list of projects, must be completed and included as part of the resolution.

Where you see **INSERT NUMBER**, insert – in black type – the number you assign to the resolution.

Where you see **INSERT NAME OF COUNTY**, insert – in upper and lower case black type – the name of the county from which the claim is being submitted. (e.g., “Napa County”).

Where you see **INSERT NAME OF COUNTYWIDE AGENCY**, insert – in black type – the name of the agency from which the claim is being submitted. (e.g., “Napa County Transportation Planning Agency,” “Solano Transportation Authority,” “Contra Costa County Board of Supervisors,” “Santa Clara Valley Transportation Authority”).

Resolution No. **INSERT NUMBER**

Re: Submittal of Countywide Coordinated Claim to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2004-05 TDA Article 3 Pedestrian/Bicycle Project Funds to Claimants in the **INSERT NAME OF COUNTY**

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No. 875, Revised, which delineates procedures and criteria for submission of requests for the allocation of TDA Article 3 funds; and

WHEREAS, MTC Resolution No. 875, Revised requires that requests from eligible claimants for the allocation of TDA Article 3 funds be submitted as part of a single, countywide coordinated claim, composed of certain required documents; and

WHEREAS, the **INSERT NAME OF COUNTYWIDE AGENCY** has undertaken a process in compliance with MTC Resolution No. 875, Revised for consideration of project proposals submitted by eligible claimants of TDA Article 3 funds in **INSERT NAME OF COUNTY**, and a prioritized list of projects, included as Attachment A of this resolution, was developed as a result of this process; and

WHEREAS, each claimant in **INSERT NAME OF COUNTY** whose project or projects have been prioritized for inclusion in the fiscal year **INSERT FISCAL YEAR** TDA Article 3 countywide coordinated claim has forwarded to the **INSERT NAME OF COUNTYWIDE AGENCY** a certified copy of its governing body resolution for submittal to MTC requesting an allocation of TDA Article 3 funds; now, therefore, be it.

RESOLVED, that the **INSERT NAME OF COUNTYWIDE AGENCY** approves the prioritized list of projects included as Attachment A to this resolution; and furthermore, be it

RESOLVED, that the **INSERT NAME OF COUNTYWIDE AGENCY** approves the submittal to MTC, of the **INSERT NAME OF COUNTY** fiscal year **INSERT FISCAL YEAR** TDA Article 3 countywide, coordinated claim, composed of the following required documents:

- A. transmittal letter
- B. a certified copy of this resolution, including Attachment A;
- C. one copy of the governing body resolution and required attachments, for each claimant whose project or projects are the subject of the coordinated claim;
- D. a description of the process for public and staff review of all proposed projects submitted by eligible claimants for prioritization and inclusion in the countywide, coordinated claim.

This resolution was adopted by the **INSERT NAME OF COUNTYWIDE AGENCY** on **INSERT DATE**.

AYES:

NAYS:

Certified to by (signature): _____

TYPE NAME OF CERTIFYING INDIVIDUAL HERE

Resolution No. **INSERT NUMBER**
Attachment A

Re: Submittal of Countywide Coordinated Claim to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2004-05 TDA Article 3 Pedestrian/Bicycle Project Funds to Claimants in the **INSERT NAME OF COUNTY**

Prioritized List of Projects

	Short Title Description of Project	TDA Article 3 Amount	Total Project Cost
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	Totals		

MTC Resolution No. 875, Revised

Governing the Allocation and Use of TDA Article 3 Funds

Note: the following is a facsimile copy of MTC Resolution No. 875, Revised, which has been reformatted for inclusion with the TDA Article 3 claim forms, but which is in all material respects and content identical to the original.

Date: November 26, 1980
W.I.: 51410
Referred By: GR&AC
Revised: 11/24/82-C 11/26/86-C
09/23/87-C 03/24/88-C
12/18/91-C 11/25/92-C
01/28/98-C 09/27/00-C
05/23/01-C 11/20/02-C

ABSTRACT

Resolution No. 875, Revised

This resolution adopts the "Transportation Development Act, Article 3, Pedestrian/Bicycle Projects" delineating procedures for submission of claims for Article 3 funding for pedestrian and bicycle facilities and stating criteria by which the claims will be evaluated as required by the Transportation Development Act (Public Utilities Code Section 99401a).

This resolution was revised November 24, 1982, to incorporate changes to the procedures and criteria recommended in the Regional Bicycle Plan, adopted September 22, 1982 and other changes.

This resolution was revised November 26, 1986 to incorporate changes in procedures and criteria required by SB 949 (Chapter 988, Statutes of 1986).

This resolution was revised September 23, 1987 to incorporate changes in procedures and criteria required by SB100 (Chapter 313, Statutes of 1987).

This resolution was revised March 24, 1988 to incorporate changes in procedures and criteria required by SB100 (Chapter 313, Statutes of 1987).

This resolution was revised on December 18, 1991 to incorporate changes in procedures and criteria required by State Transportation Control Measure 9 (adopted by MTC on November 28, 1990).

This resolution was revised on November 25, 1992 to incorporate changes in procedures and criteria required by AB 3090 (Chapter 1243, Statutes of 1992).

This resolution was revised on January 28, 1998 to incorporate changes in procedures and criteria required by SB 506, the Senate Transportation Committee's annual Omnibus Bill Of Noncontroversial And Technical Provisions (Chapter 619, Statutes of 1997), as well as to make modifications to the procedures that reduce the amount of paperwork and processing for MTC and claimants, yet still meet state requirements and MTC's overall coordination, planning and funding objectives.

This resolution was revised on September 27, 2000 to incorporate changes in procedures required by changes in MTC's annual fund estimate procedures and schedule.

ABSTRACT

MTC Resolution No. 875, Revised

Page 2

This resolution was revised on May 23, 2001 to eliminate the requirement for an attorney certification of projects and instead to specify certain findings to be included in the agency resolutions.

This resolution was revised on November 20, 2002 to clarify the eligibility of joint powers agencies to apply for funds, to clarify the location of reference documents for safety design criteria and for TDA program information, and specify the timing and sequence of steps for approving applications and for requesting reimbursement of costs incurred.

Further discussion of these procedures and criteria are contained in the MTC "Staff Evaluations" dated November 20, 1986, March 10, 1988, December 6, 1991, October 30, 1992, January 14, 1998, September 13, 2000, May 9, 2001, and November 13, 2002.

Date: November 26, 1980
W.I.: 1002.30.01
W.A.: 1293R
Referred By: GR&AC

RE: Transportation Development Act. Article 3. Pedestrian/Bicycle Projects.

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 875, REVISED

WHEREAS, the Transportation Development ACT, Public Utilities Code (PUC) Section 99200 et seq., requires the Transportation Planning Agency to adopt rules and regulations delineating procedures for the submission of claims for funding for pedestrian and bicycle facilities (Article 3, PUC Section 99233.3); state criteria by which the claims will be analyzed and evaluated (PUC Section 99401(a); and to prepare a priority list for funding the construction of pedestrian and bicycle facilities (PUC Section 99234(b)); and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the Transportation Planning Agency for the San Francisco Bay Region, adopted MTC Resolution No. 875 entitled "Transportation Development Act, Article 3, Pedestrian/Bicycle Projects", that delineates procedures and criteria for submission of claims for Article 3 funding for pedestrian bicycle facilities; and

WHEREAS, MTC desires to update said procedures to allow the Association of Bay Area Governments (ABAG) to receive a one-time payment of Article 3 funds from each county to prepare a plan for a bicycle and hiking trail around San Francisco Bay and mandated by Senate Bill 100 (Chapter 313, Statutes of 1987).

RESOLVED, that the attached Attachment A shall supersede the procedure previously adopted by MTC; and be it further

RESOLVED, that MTC Resolution No. 762 is rescinded and is superseded by this resolution.

METROPOLITAN TRANSPORTATION COMMISSION

/s/William R. Lucius

William R. "Bill" Lucius, Chairman

The above resolution was adopted by the
Metropolitan Transportation Commission
at a regular meeting of the Commission
held in Oakland, CA, on November 26, 1980

Date: November 26, 1980
W.I.: 51410
Referred By: GR&AC
Revised: 11/24/82-C 11/26/86-C
09/23/87-C 03/24/88-C
12/18/91-C 11/25/92-C
01/28/98-C 09/27/00-C
05/23/01-C 11/20/02-C

Attachment A
Resolution No. 875, Revised

TRANSPORTATION DEVELOPMENT ACT, ARTICLE 3,
PEDESTRIAN/BICYCLE PROJECTS
Procedures and Project Evaluation Criteria

PROCEDURES

Eligible Claimants

The Transportation Development Act (TDA), Public Utilities Code Sections 99233.3 and 99234, makes funds available in the nine-county Metropolitan Transportation Commission (MTC) Region for pedestrian/bicycle purposes. MTC makes annual allocations of TDA Article 3 funds to eligible claimants after review of applications submitted by counties or congestion management agencies.

All cities and counties in each of the nine MTC region counties are eligible to claim funds under TDA Article 3. Joint powers agencies are also eligible.

Application

1. Counties or congestion management agencies will be responsible for putting together an annual program of projects, which they initiate by contacting the county and all cities and joint powers agencies within their jurisdiction and encouraging submission of project applications.
2. Claimants will send one or more copies to the county or congestion management agency (see "Priority Setting" below).
3. A project is eligible for funding if:
 - a. The project sponsor submits a resolution of its governing board that addresses the following six points:
 1. There are no legal impediments regarding the project.
 2. Jurisdictional or agency staffing resources are adequate to complete the project.
 3. There is no pending or threatened litigation that might adversely affect the project or the ability of the project sponsor to carry out the project.

4. Environmental and right-of-way issues have been reviewed and found to be in such a state that fund obligation deadlines will not be jeopardized.
 5. Adequate local funding is available to complete the project.
 6. The project has been conceptually reviewed to the point that all contingent issues have been considered.
-
- b. the project is construction and/or engineering of a capital project; is to maintain a Class I bikeway which is closed to motorized traffic; is for a bicycle safety education program; is to develop comprehensive bicycle or pedestrian facilities plans (an allocation to a claimant for this purpose may not be made more than once every five years); or for the purposes of restriping Class II bicycle lanes.
 - c. the claimant is eligible to claim TDA Article 3 funds under Section 99233.399234 of the Public Utilities Code;
 - d. if it is a Class I, II or III bikeway project it meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual; (Available via Caltrans headquarters' World Wide Web page); or if it is a pedestrian facility, it meets the mandatory minimum safety design criteria published in Chapter 100 of the California Highway Design Manual (Available via Caltrans headquarters' World Wide Web page);
 - e. the project is ready to implement within the next fiscal year;
 - f. the project meets the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.) and project sponsor submits an environmental document that has been stamped for filing by the County Clerk.
 - g. a jurisdiction agrees to maintain the facility.
 - h. the bicycle project is included in one or more of the following: a detailed bicycle circulation element or plan included in a general plan or an adopted comprehensive bikeway plan (such as outlined in Section 2377 of the California Bikeways Act, Streets and Highways Code section 2370 et seq.).

Priority Setting

1. The county or congestion management agency shall establish a process for establishing project priorities in order to prepare an annual list of projects being recommended for funding. Each county and city is required to have a Bicycle Advisory Committee (BAC) to review and-prioritize TDA Article 3 bicycle projects and to participate in the development and review of comprehensive bicycle plans. (BACs are mandated by State Transportation Control Measure [STCM #9], adopted by MTC on November 28, 1990, MTC Resolution No. 2178, Revised).

A city BAC shall be composed of at least 3 members who live or work in the city. More members may be added as desired. They will be appointed by the City Council. The City or Town Manager will designate staff to provide administrative and technical support to the Committee.

Cities under 10,000 population who have difficulty in locating a sufficient number of qualified members, may apply to MTC for exemption from these requirements. Cities over 10,000 population may also apply to MTC for exemption from the city BAC requirement if they can demonstrate that the countywide BAC provides for expanded city representation.

A county BAC shall be composed of at least 5 members who live or work in the county. More members may be added as desired. The County Board of Supervisors and/or Congestion Management Agency (CMA) will appoint BAC members. The county or congestion management agency executive/administrator will designate staff to provide administration and technical support to the Committee.

(Note: The intent is that BACs be composed of bicyclists and pedestrians.)

2. The project lists developed by the City BACs shall be recommended to its City or Town Council. The Countywide Bicycle Advisory Committee will forward all city project lists to the County Public Works Department or congestion management agency for evaluation/prioritization. County Committees will, at a minimum, be responsible for evaluating projects within the unincorporated portions of the county and setting a countywide prioritization list (based on city and county project lists) for annual TDA Article 3 allocations. Either the Board of Supervisors or the Congestion Management Agency (CMA) will adopt the annual countywide list and forward it to MTC for approval.
3. The county or congestion management agency will forward to MTC a copy of the following:
 - a) Applications for the recommended projects, including a governing body resolution, stamped environmental document, and map for each, as well as a cover letter stating the total amount of money being claimed;
 - b) the complete priority list of projects with an electronic version to facilitate grant processing.
 - c) an indication of how and when the projects were reviewed by city and county committees and representatives and what methods were used to contact interested members of the public; and
 - d) a Board of Supervisors' or CMA resolution approving the priority list and authorizing the claim.

MTC Staff Evaluation

If a recommended project is eligible for funding, and falls within the overall TDA Article 3 fund estimate level for that county, staff will recommend to the Commission that the project be approved. MTC staff will complete its evaluation for Commission action.

Allocation

The Commission will act by resolution to approve the priority list and allocation of funds for the recommended projects. The County Auditor will be notified by allocation instructions to reserve funds for the approved projects. Claimants will be sent copies of the allocation instructions and instructions for claiming disbursement.

Disbursement

1. When costs are incurred, the claimant shall submit to MTC the following, a minimum of one month before the grant expiration date:
 - a) a copy of the allocation instructions along with a dated cover letter referring to the project by name, dollar amount and allocation instruction number and requesting disbursement of funds;
 - b) documents showing that costs have been incurred during the period of time covered by the grant and, if applicable, that the project has been formally accepted as complete by the jurisdiction .
2. MTC will approve the disbursement and if the disbursement request was received in a timely fashion and the allocation instruction has not expired, been totally drawn down nor been rescinded, issue an authorization to the County Auditor to disburse funds to the claimant.

Rescissions

Funds will be allocated to claimants for specific projects, so transfers of funds to other projects sponsored by the same claimant may not be made. If a claimant has to abandon a project or cannot complete it within the time allowed, it should ask the county or congestion management agency to request that MTC rescind the allocation in conjunction with the next year's project prioritization process. The public should have an opportunity to review such a request. The county or congestion management agency may request that the funds be allocated to another project.

Fiscal Audit

All claimants that have received an allocation of TDA funds are required to submit an annual certified fiscal and compliance audit to MTC and to the Secretary of Business and Transportation Agency within 180 days after the close of the fiscal year, in accordance with PUC Section 99245. Article 3 applicants need not file a fiscal audit if TDA funds were not expended (that is, costs incurred) during a given fiscal year. However, the applicant should file a statement for MTC's records certifying that no TDA funds were expended during the fiscal year. Failure to

submit the required audit for any TDA article will preclude MTC from making a new Article 3 allocation. For example, a delinquent Article 4.5 fiscal audit will delay any other TDA allocation to the city/county with an outstanding audit. Until the audit requirement is met, no new Article 3 allocations or disbursements will be made.

For Further Information

Claimants are encouraged to develop their claims with the MTC staff at an early date so that the formal claim process can be expedited. If you have any questions regarding the application forms or related matters, please contact the MTC staff liaison who is responsible for Article 3 claims for your county. Copies of the Transportation Development Act and the related regulations in the California Administrative Code are available from the funding section of MTC's web page.

SUGGESTED CRITERIA

The counties or congestion management agencies should consider the following criteria along with any explicit criteria the county or congestion management agency deems necessary when evaluating projects for the countywide priority list.

The basic objectives of the MTC suggested criteria are to give priority to projects that increase the safety, security, and efficiency of bicycle and pedestrian travel, and to the extent practicable provide for a coordinated system.

Consideration should be given to projects that can demonstrate one or more of the following objectives: (Not listed in priority order.)

1. Elimination or improvement of an identified problem area (specific safety hazards such as high-traffic narrow roadways or barriers to travel) on routes that would otherwise provide relatively safe and direct bicycle or pedestrian travel use, given the character of the users. For example, roadway widening, shoulder paving, restriping or parking removal to provide space for bicycles; a bicycle/pedestrian bridge across a stream or railroad tracks on an otherwise useful route; a segment of Class I bicycle path to divert young bicyclists from a high traffic arterial; a pedestrian path to provide safe access to a school or other activity center; replacement of substandard grates or culverts; adjustment of traffic-actuated signals to make them bicycle sensitive. Projects to improve safety should be based on current traffic safety engineering knowledge.
2. Roadway improvements or construction of a continuous interconnected route to provide reasonably direct access to activity centers (employment, educational, cultural, recreational) where access did not previously exist or was hazardous. For example, development of Class I paths on continuous rights-of-way with few intersections (such as abandoned railroad rights-of-way) which lead to activity centers; an appropriate combination of Class I, Class II, and Class III bikeways on routes identified as high demand access routes; bicycle route signs or bike lanes on selected routes which receive priority maintenance and cleaning.

3. Secure bicycle parking facilities, especially in high use activity areas, at transit terminals, and at park-and-ride lots. Desirable facilities include lockers, sheltered and guarded check-in areas; self-locking sheltered racks that eliminate the need to carry a chain, and racks that accept U-shaped locks.
4. Other provisions that facilitate bicycle/transit trips. For example, bike racks on buses, paratransit/trailer combinations, and bicycle loan or check-in facilities at transit terminals.
5. Maintenance of Class I bikeways that are closed to motorized traffic or for the purposes of restriping Class II bicycle lanes (provided that the total amount for Class II bicycle lane restriping does not exceed twenty percent of the county's total TDA Article 3 allocation) where county policy supports the use of Article 3 funds for this purpose.
6. Projects identified in a recent (within five years) comprehensive local bicycle or pedestrian plan. We encourage counties to establish a five-year plan for bicycle projects.
7. Projects that enhance or encourage bicycle or pedestrian commutes.
8. Projects in jurisdictions that have bicycle safety education and law enforcement, distribution of bicycle route information, a bicycle parking plan, and priority maintenance of bikeways.
9. Projects which have documented local support in terms of requests for improvement from bicyclists, employers, employees, or residents in the area; or local effort in terms of funding or preliminary studies.
10. Projects that provide connection to and continuity with longer routes provided by other means or by other jurisdictions to improve regional continuity.
11. Bicycle Safety Education Programs. Up to five percent of a county's Article 3 fund may be expended to supplement monies from other sources to fund a bicycle safety education program and staffing. For a given bicycle safety education project, no more than 50 percent shall be funded with Article 3 funds.
12. Comprehensive Bicycles and Pedestrian Facilities Plan. Funds may be allocated for these plans (emphasis should be for accommodation of bicycle commuters rather than recreational bicycle uses). A city or county would be eligible to receive an allocation for these plans not more than once every five years.

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